

OFFICERS, &c. OF VIRGINIA LINE, REVOLUTIONARY ARMY.

DECEMBER 15, 1831.

Reprinted by order of the House of Representatives.

MARCH 3, 1831.

Read, and laid upon the table.

Mr. WICKLIFFE, from the Committee on the Public Lands, to which the subject had been referred, made the following

REPORT:

The Committee on the Public Lands was instructed by the resolution of the House of Representatives of the 6th January, "to inquire into the expediency of amending the act of Congress, passed at the last session, entitled "An act for the relief of certain officers and soldiers of the Virginia line and navy of the continental army during the revolutionary war," so as to change or alter the first section as not to require evidence as to the line on which the resolution warrant of Virginia issued; also to amend the third section so as to embrace cases where warrants have been located, and surveys or patents prohibited by law, by which the land is lost to the locator; also, to cases of surveys or patents, where by the highest judicial tribunal of the State or United States, the land has been taken by a prior or better claim; also, to provide for the renewal of lost or destroyed certificates or scrip; also, to change the maximum quantity of land allowed to be appropriated by the said act, to supply the claims embraced by said act; lastly, to make such alterations as the said committee may consider just and equitable."

The committee has deemed it inexpedient to legislate upon any one of the subjects embraced in the said resolution at this time. As to that portion of the resolution which proposes to amend the 3d section of the act of last session, the committee is decidedly of opinion that the act should not be enlarged in its provisions so as to embrace the class of cases indicated.

The act of the last session, as it passed the Senate, had for its object the satisfaction of about 200,000 acres of land warrants, due to, and principally owned by, the heirs of the officers and soldiers of the Virginia State line, which, in consequence of the mistake in the deed of cession by Virginia to the United States, of the land northwest of the Ohio river, had been unprovided for, and which claims addressed themselves forcibly to the justice of Congress. These warrants or claims for bounty lands were principally in the hands of the original proprietors or their heirs, and could not be located upon any land since June, 1792. They had not, therefore, become the objects of speculation, or of fair barter and sale, to any great extent. The bill was amended in the House of Representatives, so as to include the unsatisfied warrants which had been issued, or which were due to the officers and soldiers of the Virginia line upon continental establishment, and to the officers

and soldiers of the line of the continental army, arising under the acts of the revolutionary Congress. It is doubted whether this alteration and amendment of the bill by the House of Representatives was not an act of hasty and unadvised legislation. The effect of it has been to increase in the hands of purchasers of these land warrants, at a cost not exceeding \$20 in the hundred acres, the value thereof to \$125 the hundred acres. If the amount unsatisfied which has already been presented to the department, could have been foreseen, it is confidently believed the amendment of the House of Representatives would not have obtained. For the satisfaction of these warrants, there had been set apart districts of country in the State of Ohio, after the deed of cession by Virginia. Prior to 1792, the bounty land warrants due either to the Virginia State troops, or troops of Virginia on the continental line, could have been located in Kentucky. Millions of acres upon the two lines had been there located prior to 1792, and other millions due the Virginia troops upon the continental establishment have been located in the State of Ohio before and since the act of cession by Virginia to the United States. These locations upon both lines were, when made, or since have become, mostly the property of others. In many instances, both in Kentucky and Ohio, the locations and surveys upon military land warrants have been made to interfere. They have been, and are yet the subjects of much litigation and speculation. If any locations have not been surveyed, the fault has been that of the proprietors, and not of the Government of Kentucky, where the locations were made. In that State, ample time has been afforded by the Legislature, from time to time, to make the surveys, and to obtain patents from the Commonwealth. It is believed by the committee that, owing to some cause, whether to the ignorance of the warrant holder, or a desire, knowingly, to appropriate land which had been previously located, thousands upon thousands of acres appropriated in virtue of warrants on both lines, have been made to interfere, and consequently a loss has been sustained by some one, but it is believed that such loss has seldom fallen upon the soldier or his representatives. Most generally, the loss has happened to those who were the purchasers of those warrants or claims for a very inadequate consideration paid the original proprietors.

If the law should be so amended as to embrace cases where patents have not been issued, or where surveys have not been made in Kentucky, or where the land has been lost by the decision of the courts of the State or nation, in consequence of conflicting claims, it would be difficult for the committee to conjecture the amount of land it would take to meet the claims thus described.

The committee believe such an alteration of the law would tend to a continuation of that system of land speculation which those bounty land claims have ever invited, and that no wisdom of legislation would be equal to guard against the frauds which might be perpetrated upon the interests of the Government.

There exists no legal claim against the Government of the United States, in favor of any former or present holder of these bounty land warrants thus situated. No circumstance is presented to the consideration of the committee which favors them, when pressed upon the equity or generosity of Congress. The committee, therefore, recommend for adoption the following resolution:

Resolved, That legislation upon the subject is inexpedient.